

**252H Administrative Order
For Adjustment of a Support Obligation**

☐ **Foster Care Recovery Unit**
☐ **Child Support Recovery Unit**
Iowa Department of Human Services
Docket No: _____
☐ _____
☐ _____

This matter is before the ☐ Foster Care Recovery Unit ☐ Child Support Recovery Unit (referred to as the "Unit"), for the adjustment of the controlling support order(s), according to Iowa Code section 252B.5(7) and Iowa Code chapter 252H.¹ The Unit **FINDS**:

1. The Unit has personal jurisdiction over the subject matter and Iowa is the proper state in which to enter an order for support, according to section 252B.5(7), chapters 252H and 252K.
2. _____ is the caretaker of the minor child(ren) and notice of this action with all requirements of section 252H.15 was served on the following necessary parties who appeared as follows:

	Name	Relationship to Affected Child(ren)	State of Residence ²	Party Appeared
Obligor ³	_____	_____	—	<input type="checkbox"/> Did not appear <input type="checkbox"/> Without an attorney <input type="checkbox"/> Contacted CSRU by telephone <input type="checkbox"/> Provided financial statement <input type="checkbox"/> Represented by _____
Obligee ⁴	_____	_____	—	<input type="checkbox"/> Did not appear <input type="checkbox"/> Without an attorney <input type="checkbox"/> Contacted CSRU by telephone <input type="checkbox"/> Provided financial statement <input type="checkbox"/> Represented by _____
<input type="checkbox"/> Third Party ⁵	_____	_____	—	<input type="checkbox"/> Did not appear <input type="checkbox"/> Without an attorney <input type="checkbox"/> Contacted CSRU by telephone <input type="checkbox"/> Provided financial statement <input type="checkbox"/> Represented by _____

☐ The children affected by the ongoing support order(s) are:

Affected Child's Name	Date of Birth	State of Residence ⁶	Period of Residence	Child's Home State ⁷	Child Currently Residing with:
_____	_____	—	through _____	—	_____
_____	_____	—	through _____	—	_____
_____	_____	—	through _____	—	_____
_____	_____	—	through _____	—	_____
_____	_____	—	through _____	—	_____

☐ The child affected by the ongoing support order is:

Affected Child's Name	Date of Birth	State of Residence ⁶	Period of Residence	Child's Home State ⁷	Child Currently Residing with:
_____	_____	_____	_____ through _____	_____	_____

☐ The child affected by the ongoing support order is:

Affected Child's Name	Date of Birth	Child Currently Residing with:
_____	_____	_____

☐ The children affected by the ongoing support order(s) are:

Affected Child's Name	Date of Birth	Child Currently Residing with:
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

☐ The Unit considered the following ongoing support order⁸:

Issuing State	Issuing County	Docket Number	File Stamped Date	Support Amount
_____	_____	_____	_____	\$ _____ per _____

☐ The Unit considered the following ongoing support orders to identify which order(s) is/are controlling:⁸

Issuing State	Issuing County	Docket Number	File Stamped Date	Support Amount
_____	_____	_____	_____	\$ _____ per _____
_____	_____	_____	_____	\$ _____ per _____
_____	_____	_____	_____	\$ _____ per _____
_____	_____	_____	_____	\$ _____ per _____
_____	_____	_____	_____	\$ _____ per _____

THEREFORE, the Unit, according to chapter 252H, **CONCLUDES AND ORDERS:**

☐ 1. According to the standards of section 252K.207, the controlling ongoing support order is the _____ order entered in _____ County, Docket Number _____. This order is controlling

☐ because it is the only known ongoing support order in existence.

☐ because it was issued by the only tribunal that has continuing, exclusive jurisdiction.

☐ although more than one tribunal has continuing, exclusive jurisdiction, it was issued by a tribunal that has continuing, exclusive jurisdiction and is the home state of the child(ren).

☐ because it was the most recent ongoing support order issued by a tribunal with continuing, exclusive jurisdiction, and _____, the current home state of the child(ren) has not issued a support order.

☐ because it was the most recent ongoing support order issued by a tribunal with continuing, exclusive jurisdiction, and neither _____, the home state of the child(ren) _____, nor _____, the home state of the child(ren) _____, has issued support orders.

☐ 1. According to the standards of section 252K.207, the controlling ongoing support order is the Iowa order entered in _____ County, Docket Number _____, and the Iowa order entered in _____ County, Docket Number _____, and the Iowa order entered in _____ County, Docket Number _____. According to Iowa Code section 252A.6, no Iowa order supersedes any previous Iowa order. All Iowa orders run concurrently and were reviewed together.

☐ These orders are controlling because they were issued by the only tribunal that has continuing, exclusive jurisdiction.

☐ These orders are controlling because they were issued by the only tribunal that has issued orders.

☐ 1. According to the standards of section 252K.207, the controlling ongoing support order for _____ is the _____ order entered in _____ County, Docket Number _____, and the controlling order for _____ is the _____ order entered in _____ County, Docket Number _____. These orders are controlling because, although more than one tribunal has continuing, exclusive jurisdiction, these orders were issued in the children's respective home states by tribunals with continuing, exclusive jurisdiction.

2. Effective on the date the Court approves this administrative order, the controlling order(s), as adjusted, is/are the only enforceable ongoing support obligation. In the event there is another existing order, the ongoing support obligation set by the other orders is terminated and unenforceable. However, support arrearages that accrued as of the date this administrative order is approved by the court are due and owing. Payments on all support orders shall be credited according to Iowa Code section 252K.209.

3. A substantial change of circumstances exists. The support obligation should be adjusted based on the parents' present circumstances.⁹

This adjustment deviates from the Child Support Guidelines. The amount of support that would be due for the child(ren) by applying the guidelines is \$_____ per _____. The support order deviates for the following reasons: _____

_____.

☐ This adjustment is in accordance with the Child Support Guidelines.

4. Following the approval of this administrative order, the obligor shall pay the adjusted amount of support, \$_____ per _____, for the child(ren) listed in this order. This amount is effective on the first date that the next support payment is due according to the terms of the prior support order(s) and continues _____ thereafter.

☐ The multiple orders are reconciled as follows:

Primary Order ___ child(ren)

Court Order # _____

Adjusted Obligation Amount

\$ _____

Frequency

per _____

Effective Date

Second Order ___ child(ren)

Court Order # _____

Reconciliation Amount (see ⑦ on reconciliation worksheet)

\$ _____ ⑦

Due: _____

Summary of payments/obligations

\$ _____ ①

Due: _____

\$ _____ ⑦

Due: _____

\$ _____ ②

Due: _____

Third Order ___ child(ren)

Court Order # _____

Reconciliation Amount (see ⑦ on reconciliation worksheet)

\$ _____ ⑦

Due: _____

Summary of payments/obligations

\$ _____ ①

Due: _____

\$ _____ ⑦

Due: _____

\$ _____ ②

Due: _____

5. The conditions for ending the ongoing support obligation for each child are unchanged by this action.

☐ The terms for determining the number of children entitled to current ongoing support are unchanged by this order. The ongoing support obligation for the child(ren) named shall be adjusted without further court order, to correspond to the number of children entitled to current support as this number changes. The obligation amount is:

Number of Children Entitled to Support

\$ Amount per _____

Any prior proration of the obligation among the children entitled to support is void. If there are multiple obligees, the support will be divided and distributed equally among the children.

☐ 6. The obligor shall provide medical support and take all necessary actions to ensure coverage of the dependent(s) according to chapter 252E. The obligor shall obtain an employment-related or group health benefit plan for the dependent(s). However, should such insurance not be or become available, the Unit reserves the right to request that other provisions be made according to chapter 252E at a later date without showing a change of circumstances.

☐ The provisions for medical support, if any, set or reserved by the controlling order, other than any provision for uncovered medical expenses, are unchanged by this order.

☐ Other: _____

☐ If uncovered medical expenses for the child(ren) exceed \$250.00 per year for one child or \$500.00 per year for two or more children, the obligor shall pay _____% of the excess cost as provided by the Child Support Guidelines.

☐ The uncovered medical expenses provisions of the Child Support Guidelines do not apply under this order.

☐ The obligor shall pay _____% of any uncovered medical expenses for the child(ren).

☐ 7. Upon termination of public assistance, the Collection Services Center shall pay any current support to the named caretaker, unless payments are redirected to another caretaker or unless there has been an automatic redirection by statute.

☐ 7 ☐ 8. All payments ordered shall be payable to the **COLLECTION SERVICES CENTER, P.O. BOX 9125, DES MOINES, IOWA 50306-9125, AND IN NO OTHER MANNER.** Each payment shall identify the obligor, obligee/caretaker, and the following CSC number(s): _____, _____, and _____. Any payment sent directly to the above named caretaker or the child(ren) by the obligor shall be considered a gift and not credited to the support ordered.

☐ 8 ☐ 9. _____ shall pay the cost of this action and the parties are bound by the Notices which are below and incorporated.

- ☐ Foster Care Recovery Unit by
☐ Child Support Recovery Unit by

Designee of the Administrator

Date

Copy to:

☐

NOTICES

☐ 1. Immediate income withholding is not ordered at this time because

☐ _____.

☐ the income of the obligor is already subject to income withholding.

☐ a written agreement provides for an alternative arrangement.

If the obligor fails to comply with the terms of the alternative arrangement, the Unit reserves the right to enter an ex parte order for immediate income withholding or pursue other enforcement actions.

☐ 1. The income of the obligor is subject to immediate income withholding, according to section 252D.8(1). Until the income provider withholds the required amount of support, it is the obligor's responsibility to ensure payment is made to the Collection Services Center.

2. The installment payment method does not prevent the Unit from collecting the accrued support and/or any delinquent support by any means provided by law, including, but not limited to, an interception of income tax refunds, attachment of liens, income withholding, and levy of accounts at financial institutions. When payments become delinquent in an amount equal to the payment for one month, according to chapter 252D, the Court or the Unit may order the withholding for payment of support set at an amount in accordance with 441 IAC chapter 98, division II, or according to chapter 252I, the Unit may execute an administrative levy on the Respondent's financial institutions.

3. According to section 598.22B, the obligor, obligee, and any necessary third party shall provide the Unit with written information about the person's identity, social security number, residential and mailing addresses, telephone number, driver's license number, and the name, address, and telephone number of the party's current employer or other source of income and keep the Unit informed of any changes. The Respondent shall also provide the Unit information about health insurance which is available, including health insurance policy information. If a later child support action is started and a diligent but unsuccessful effort is made to locate the party, due process requirements may be met by delivering a written notice to the most recent residential or employer address on file with the Unit.

4. According to section 252B.23, if support in arrears is referred to a collection entity, a surcharge may be assessed to the obligor, and information may be provided to a collection entity for purposes of administering and enforcing the surcharge. The amount of the surcharge is a percentage of the amount in arrears.

Parties receiving notice of this review and adjustment action and failing to disclose the existence of other support orders which have not been considered may be barred from challenging the determination of controlling order in a later action.

☐ 6. The Child Support Guidelines provide for sharing of costs for uncovered medical expenses which are not included in this order. These costs may be addressed in a future action.

¹ The review was based on a request submitted by ☐ _____ ☐ at the initiative of the Unit.

² The party's state of residence at the time the Unit issued the Notice of Intent to Review.

³ The parent obligated to pay support. The Unit has personal jurisdiction over the obligor because the obligor ☐ resides in Iowa. ☐ requested this review and waives any contest to personal jurisdiction. ☐ is a party to the Iowa order(s) that has been reviewed.

⁴ The person entitled to receive support on behalf of the child(ren). The Unit has personal jurisdiction over the obligee because the obligee ☐ resides in Iowa. ☐ requested this review and waives any contest to personal jurisdiction. ☐ is a party to the Iowa order(s) that has been reviewed.

⁵ This person may have an interest in the amount of support. The Unit has personal jurisdiction over the necessary third party because the necessary third party ☐ resides in Iowa. ☐ requested this review and waives any contest to personal jurisdiction. ☐ is a party to the Iowa order(s) that has been reviewed.

⁶ The child's state of residence at the time the Unit issued the Notice of Intent to Review.

⁷ The home state of the child is the state where the child lived for at least six consecutive months immediately preceding the time of filing of a petition or comparable pleading for support. If the child is less than six months old, the state in which the child has lived since birth is the child's home state.

⁸ The parties have not disclosed, and the Unit is not aware of, any other ongoing support orders which affect the obligor and the child(ren) named above.

⁹ See section 598.21(9). Entry of an adjusted ongoing support order in Iowa will not violate 28 USC 1738B.